UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/AC.70/1994/5/Add.1
7 June 1994
ENGLISH
ORIGINAL: ENGLISH/FRENCH

OPEN-ENDED WORKING GROUP ON THE REVIEW
OF ARRANGEMENTS FOR CONSULTATIONS
WITH NON-GOVERNMENTAL ORGANIZATIONS
First session
20-24 June 1994
Item 3 of the provisional agenda*

GENERAL REVIEW OF CURRENT ARRANGEMENTS FOR CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

Report of the Secretary-General

Addendum

Participation of non-governmental organizations in the Commission on Human Rights, the World Conference on Human Rights and the human rights treaty bodies

INTRODUCTION

1. The United Nations Centre for Human Rights works in close cooperation with non-governmental organizations. NGOs contribute to the work of special rapporteurs, the formulation and adoption of many international instruments in the field of technical assistance, monitoring the application of standards, etc. One example among many is that the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is an NGO proposal.

2. Direct involvement by individuals and groups in international affairs through NGOs is becoming more and more common at the end of the twentieth century. Such involvement reflects the desire of these organizations to play an active role in the important issues facing society today. An ever-increasing number of NGOs wish to participate in the work of the United Nations in general, and that of the Centre in particular. The most recent example is the

* E/AC.70/1994/2.

accreditation of more than 700 individuals on behalf of NGOs at the most recent session of the Commission on Human Rights, held at Geneva in February and March 1994.

3. The NGO community is very varied. There are international NGOs, often general in nature and sometimes politicized. Some of them have as affiliates associations working to promote human rights at the national and local levels. Still others NGOs specialize in specific human rights areas, and there are also national and regional NGOs. The latter should be specifically recognized by the Economic and Social Council, which would enable them to conduct their activities at the national and international levels.

NGO participation in the Human Rights Commission and the Subcommission on Prevention of Discrimination and Protection of Minorities

4. NGO participation in these two principal organs is standard. NGOs in consultative status with the Economic and Social Council may make oral or written statements. Some written statements by NGOs are circulated as official United Nations documents. NGOs receive United Nations documentation and are invited to meetings on the basis of their fields of competence.

5. NGOs participate in working groups in which they have an opportunity to take part in drafting groups. For example, the Working Group on Indigenous Populations, set up by the Subcommission, which is preparing a draft declaration of indigenous rights, is in contact with nearly a thousand NGOs, few of which have consultative status with the Economic and Social Council. In the past NGOs have also taken part in the drafting of conventions. That was true of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in the drafting of which three NGOs participated. A group of NGOs also took part in the drafting of the Convention on the Rights of the Child.

6. During the session of the Commission on Human Rights, there were some occasional abuses by NGOs, but for the most part order and discipline prevailed. On the other hand, where serious breaches were committed, the Centre, Commission and Subcommission are not in a position to punish them on the basis of Economic and Social Council resolution 1296 (XLIV) of 1968.

Involvement of non-governmental organizations at the World Conference on Human Rights

7. The World Conference on Human Rights, held in Vienna in June 1993, constituted a landmark in relations between the NGO community and the United Nations in the field of human rights.

8. The Preparatory Committee for the World Conference, at its third session, opened the way in this direction by extending its rules of procedures to accommodate participation of non-governmental organizations in an unprecedented way. The Committee recommended to the General Assembly that the following

non-governmental organizations be invited to participate in regional meetings related to the preparatory process for the World Conference:

(a) Non-governmental organizations in consultative status with the Economic and Social Council which are active in the field of human rights and/or development as well as in the concerned region;

(b) Other non-governmental organizations which are active in the field of human rights and/or development, and have their headquarters in the concerned region, in prior consultation with the countries in the region which designate representatives properly accredited by them to participate as observers in the regional meeting (rule 66 of the rules of procedure of the World Conference on Human Rights).

9. It may also be recalled that in expanding its rules of procedure, the Preparatory Committee decided to extend participation to national institutions for the promotion and protection of human rights, so as to ensure the involvement of all sectors of society in an unprecedented process of consultations and negotiations (rule 64 of the rules of procedure).

10. As a result, 166 non-governmental organizations, of which 134 were national grass-roots organizations from the region, participated in the Regional Meeting for Africa; 169 non-governmental organizations, of which 114 were national or grass-roots organizations, attended the Regional Meeting for Latin America and the Caribbean; in Bangkok, 151 non-governmental organizations, of which 82 were admitted through the modified rules of procedure, participated at the Regional Meeting for Asia.

11. Consequently, all non-governmental organizations invited to participate in the regional meetings in accordance with rule 66 of the rules of procedure, were authorized to attend the World Conference on Human Rights in Vienna. With regard to non-governmental organizations from the Western European region, as well as from the Eastern European region, where no regional meetings were held, NGOs that had expressed their interest in participating in the World Conference were admitted through consultations with the countries of the region concerned.

12. Throughout the preparatory process for the World Conference on Human Rights grass-roots organizations, national and international NGOs were not only involved in the regional meetings, but also organized, under the auspices of the United Nations, so-called "satellite meetings" in support of the World Conference. The rich debates on substantive issue areas at these meetings undoubtedly influenced the final outcome of the World Conference in a constructive manner.

13. Vienna itself attracted some 3,691 persons representing a total of 841 non-governmental organizations. Of these, a majority, namely 593, were national grass-roots NGOs from all regions, many participating for the first time in an international conference of this kind. In particular, the numerous and active participation of grass-roots organizations from the South represented a concrete achievement and unique experience in the human rights activities of the international community, as well as in the history of the United Nations.

14. As a result of the diversity of non-governmental organizations and their active participation and presence at a number of regional and international levels, their substantive input may be clearly traced in the substantive outcomes of the meetings, such as the Tunis, San José and Bangkok Declarations, as well as in the Vienna Declaration and Programme of Action.

15. The World Conference, in the Vienna Declaration and Programme of Action, also recognized the important role of NGOs active in the field of human rights and/or development in the promotion and protection of all human rights and fundamental freedoms at national, regional and international levels and emphasized the importance of a continuing dialogue and cooperation between Governments and non-governmental organizations.

16. It is therefore of the utmost importance that this comprehensive and interlinked approach in the promotion and protection of human rights, as initiated by the World Conference on Human Rights, involving all sectors of society, and in particular national and grass-roots NGOs, form the basis of any future human rights activities within the United Nations system.

17. In this regard, in the post-Vienna period, the Centre for Human Rights has established links with a wider NGO community, at national and international levels, so as to ensure their enhanced participation in the daily activities of the Centre, as well as in the work of the Commission on Human Rights, the Subcommission, treaty bodies and all other human rights mechanisms.

Non-governmental organizations participating in the work of the human rights treaty bodies

18. Non-governmental organizations play an important, and growing, role in the work of the human rights treaty bodies. They scrutinize reports at the national level; provide information to treaty bodies; assist in the dissemination of information; and contribute to the implementation of recommendations by the treaty bodies.

19. While NGO cooperation is specifically envisaged only under one of the treaties (article 45 of the Convention on the Rights of the Child), all of the other main treaty monitoring bodies (i.e. the Committee on Economic, Social and Cultural Rights, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture) have also developed extensive and fruitful relations with NGOs and place the highest value on NGO contributions.

20. Such contributions take the form primarily of written information about the implementation of the respective instruments in areas falling within the scope of their activities, particularly country-specific information, or of expert advice. Information from NGOs is also submitted orally. The Committee on the Rights of the Child, for example, invites NGOs, on the basis of written information they have submitted to it on specific countries whose reports are to be considered by the Committee, to present oral contributions during the pre-sessional working group which conducts the preliminary review of State party reports. In the case of the Committee on Economic, Social and Cultural Rights,

NGOs intervene at each pre-sessional working group as well as during the first afternoon meeting of each session. In addition, NGOs are important contributors to general discussions organized around specific thematic issues by some of the Committees.

21. NGOs can also assist in implementation through the provision of technical assistance, notably in the case of the Committee on the Rights of the Child, which, pursuant to article 45 (b) of the Convention, can transmit to NGOs any reports from States parties that contain a request or indicate a need for technical advice or assistance.

22. NGOs also have an important role to play in spreading awareness of and encouraging advocacy for the implementation of international human rights instruments. The NGO Group for the Convention on the Rights of the Child, on the international level, and the various national coalitions for the rights of the child are good examples of the way in which NGOs contribute in sensitizing and mobilizing opinion for the promotion and protection of the rights guaranteed in the main international human rights instruments.

23. At the fourth meeting of persons chairing the human rights treaty bodies (Geneva, 12-16 October 1992), it was recommended that in order to ensure an adequate flow of information from NGOs, each treaty body should consider formally inviting such groups to submit written information and, wherever appropriate, to do so in the form of official submissions. The chairpersons also strongly urged all NGOs in the human rights field to seek to provide as much relevant information as possible to the treaty bodies on a systematic and timely basis.

24. In the statement issued by the international human rights treaty bodies at the World Conference on Human Rights, the active cooperation of NGOs is seen as essential to enable the treaty bodies to function in an informed and effective manner.